

LISTING OF CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application.

- 1-6. (Canceled).
7. (Currently Amended) A surgical apparatus, comprising:
- a tube defining a proximal end region and a distal end region;
 - a suction device ~~associated with~~ connected to the distal end ~~the distal region of~~ the tube and ~~having defining a distal surface, the suction device being removably securable to~~ myocardial tissue; and
 - a tissue stimulation element that is too small to form a transmural lesion in myocardial tissue on the suction device distal surface;
- wherein the suction device does not carry an apparatus that is capable of forming a transmural lesion in myocardial tissue.
8. (Original) A surgical apparatus as claimed in claim 7, wherein the tube comprises a flexible tube.
9. (Original) A surgical apparatus as claimed in claim 7, wherein the suction device comprises a flexible suction device.
10. (Original) A surgical apparatus as claimed in claim 7, wherein the suction device is substantially cup-shaped.
11. (Original) A surgical apparatus as claimed in claim 7, wherein the tissue stimulation element comprises a stimulation electrode.

12. (Withdrawn) A surgical apparatus as claimed in claim 7, wherein the tissue stimulation element comprises a stimulation electrode pair.

13-27. (Canceled)

28. (Currently Amended) A surgical system for use with tissue, comprising:

- a source of stimulation energy;
- a suction source; and
- a surgical apparatus including
 - a tube, operably connected to suction source, ~~the tube having defining a proximal end region and a distal end region,~~
 - a suction device ~~associated with~~ connected to the distal end ~~the distal region of the tube and having defining a distal surface, the suction device being removably securable to myocardial tissue,~~ and
 - a tissue stimulation element that is too small to form a transmural lesion in myocardial tissue, operably connected to the source of stimulation energy, on the suction device distal surface;

wherein the suction device does not carry an apparatus that is capable of forming a transmural lesion in myocardial tissue.

29. (Withdrawn) A surgical system as claimed in claim 28, wherein the tissue stimulation element comprises a stimulation electrode pair.

30. (Previously Presented) A surgical system as claimed in claim 28, wherein the distal region of the tube does not include an electrode that is large enough to form a transmural lesion in myocardial tissue.

31. (Previously Presented) A surgical system as claimed in claim 28, wherein the tissue stimulation element defines a perimeter of about 1.5 mm to 3 mm.

32. (Previously Presented) A surgical system as claimed in claim 31, wherein the tissue stimulation element defines a thickness of about 0.01 mm.

33. (Previously Presented) A surgical system as claimed in claim 31, wherein the tissue stimulation element defines a diameter of about 0.5 mm to 1.0 mm.

34. (Previously Presented) A surgical system as claimed in claim 28, wherein the source of stimulation energy is configured to supply stimulation pulses that are about 1 millisecond in duration and about 10 mA in amplitude.

35. (Previously Presented) A surgical system as claimed in claim 34, wherein the source of stimulation energy is configured to supply two stimulation pulses per second.

36. (Canceled)

37. (Previously Presented) A surgical apparatus as claimed in claim 7, wherein the tissue stimulation element defines a perimeter of about 1.5 mm to 3 mm.

38. (Previously Presented) A surgical apparatus as claimed in claim 37, wherein the tissue stimulation element defines a thickness of about 0.01 mm.

39. (Previously Presented) A surgical apparatus as claimed in claim 37, wherein the tissue stimulation element defines a diameter of about 0.5 mm to 1.0 mm.

40. (Previously Presented) A surgical apparatus as claimed in claim 7, wherein the suction device does not carry an electrode that is large enough to form a transmural lesion in myocardial tissue.

41-42. (Canceled)

43. (Currently Amended) A surgical apparatus, comprising:

a tube defining a proximal ~~end region~~ and a distal ~~end region~~;

a suction device ~~associated with~~ connected to the distal end ~~the distal region of~~ the tube and ~~having defining a distal surface,~~ the suction device being removably securable to myocardial tissue; and

tissue stimulation means, carried by the suction device distal surface, for stimulating myocardial tissue without forming a transmural lesion in the myocardial tissue;

wherein the suction device does not carry an apparatus that is capable of forming a transmural lesion in myocardial tissue.

44. (Previously Presented) A surgical apparatus as claimed in claim 43, wherein the tube comprises a flexible tube.

45. (Previously Presented) A surgical apparatus as claimed in claim 43, wherein the suction device comprises a flexible suction device.

46. (Previously Presented) A surgical apparatus as claimed in claim 43, wherein the suction device is substantially cup-shaped.

47. (Previously Amended) A surgical apparatus as claimed in claim 7, further comprising:

a signal line that is connected to the tissue stimulation element and extends through the tube.

48-53. (Canceled)

54. (New) The surgical apparatus as claimed in claim 7, wherein the suction device defines lumen, and the distal surface carrying the tissue stimulation element extends outwardly beyond lumen.

55. (New) The surgical apparatus as claimed in claim 28, wherein the suction device defines lumen, the suction device is connected to the suction source by the lumen, and the distal surface carrying the tissue stimulation element extends outwardly beyond lumen.

56. (New) The surgical apparatus as claimed in claim 43, wherein the suction device defines lumen, and the distal surface carrying the tissue stimulation element extends outwardly beyond lumen.